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August 08, 2006

TO : Clay Porch,
Chief (acting), Sustainable Fisheries Division

FROM : Dennis Lee,
Pelagic Observer Program

SUBJECT: Second quarter (2006) observer coverage summary.

The Pelagic Observer Program (POP) achieved a 7.6% coverage rate for the second quarter period of 2006 (April 1 to June 30). Selection letters were sent by certified mail service (return receipt) on March 15, 2005 to 33 vessel permit holders (owners and/or operators) for notification of observer coverage. The POP had the responsibility of the regular coverage requirement in the Northwest Atlantic, including the Gulf of Mexico, and the Caribbean Sea. During this quarter the POP was not involved in any cooperative research projects.

Of special note, there was one (1) vessel (Monica) selected for coverage for the next quarter which left port and made 3 sets prior to June 30 and continued effort into quarter 3 (Table 1). For the purposes of this quarterly report, vessel effort of the June 30 set and any incidental takes observed during this quarter period (number of sets observed, days at-sea, animals caught) will be included in the quarter 3 summary. Of the 19 vessels boarded and observed for quarter 2, two made multiple trips in order to complete their minimum effort requested. Overall, observers spent 248 days at sea, which resulted in 165 sets observed and a coverage rate of 7.6%. During the 23 observed trips (Table 1), set effort occurred in the geographical areas of the Gulf of Mexico (GOM), the Florida East Coast (FEC), the South Atlantic Bight (SAB), the Mid-Atlantic Bight (MAB), and the Northeast Coastal Sea (NEC). Although coverage was not required in the geographic areas of the Northeast Coastal (NEC), coverage did occur there.

Of the pelagic longline trips covered by observers under the 8% fleet requirement, a total of 116,532 hooks were fished during the 165 sets recorded by the SEFSC program. The total catch from the 23 pelagic longline trips observed consisted of 4,323 fish representing 44 species of fish. The catch data was comprised of 1,072 swordfish, 42 bigeye tuna, 804 yellowfin tuna, 98 bluefin tuna, 9 albacore tuna, 257 other tuna species, 822 dolphin fish

(mahi), 61 wahoo, 145 billfish species, 362 other finfish (escolar, lancetfish, etc.), 98 skates/rays, 0 small coastal sharks, 315 large coastal sharks, 220 pelagic sharks, and 18 unidentified fish species. During the quarter, observers also recorded incidental takes of protected species (Table 2) which included one(1) marine mammals (1-Pilot whale-alive), 15 sea turtles (10 leatherback-alive; 5 loggerhead-alive), and no(0) sea birds. It should be noted that a third quarter selected vessel departed port near the end of quarter 2 and made three sets in the NEC area prior to July 1. The haulback of the third set took place on July 1 in which two sea turtles were recorded. The effort and turtle takes for this set will not be included as part of this summary report.

Although occasional communications by telephone and faxes do occur from owners of selected vessels prior to and during the quarter, in general, my staff and I continue to have to place calls to most of the vessel owners to determine fishing activities and port location of the vessels. My recommendation is for the SEFSC to suggest to the HMS-HQ office to send periodic notices via fax distribution as reminders to vessel permit holders of their responsible for contacting the POP office of their fishing activity when selected. Until this action is supported, much of the staff time will always be committed to calling marinas, fish dealers, and/or leaving messages on phone recorders in hopes of locating the vessels.

During the quarter, the POP did not place observers on 14 of the 33 vessels selected (42%; Table 3), thus reducing the target coverage of the POP office by 76 sets. Unfortunate for the POP, there were 11 vessels (55 sets) in which the owners reported their vessels as not fishing (damage or tied to the dock), sold, or involved in another fishery. This could indicate a growing trend of the fishery. There were three (3) selected vessels listed in Table 3 as not participating primarily due to non-communication with the office. These vessels only reduced the POP's coverage opportunities by a minimum of 21 sets, which, if observed, could have helped in attaining our overall eight percent (8%) coverage. Lack of communication with our office and lack of marine safety decals still affects our program the most in any quarterly coverage. In addition, observer accommodations or liferaft can have an impact. With these excuses from owners re-occurring each quarter and with many of the same vessels on a regular basis, my staff continues to emphasize that the Agency should seek other alternatives of collecting data from these vessels if regular participation in observer coverage cannot be enforced for the permit holder. Fortunately this quarter, many of the vessels that were covered provided more sets than were requested in the selection letters helped, but did not the POP to attain the 8% coverage needed.

In closing, neither the Turtle Take Estimates (TTE) nor the Net Mortality Ratio (NMR) mentioned in the 2004 Biological Opinion (BO) are provided in this report as the POP does not have the

staffing expertise to conduct these analyses. In addition, the POP recorded no sawfish catches during the quarter; this species is not likely to occur in the pelagic environment. Although turtle handling workshops are being scheduled at various ports, observers have also been instructed to share their expertise of using the turtle handling gear. Additionally, on August 5, 2004, the NOAA-Fisheries implemented the regulations for vessels to have the turtle handling and release gear on board. Shortly after that date, the POP observers were provided a turtle gear checklist form issued by the Miami PR and given instructions to review the gear on each boat, fill out the checklist forms, and submit the forms with their data at the completion of the trip. In keeping with the BO reporting requirements from the POP office, observers filled out the turtle handling and release gear forms on xx of the xx second quarter selected vessels. Following two industry organized turtle gear workshops held in February and April of 2005, the presence of this gear required by the BO appears to be routine. Of these 19 vessels selected and observed vessels in quarter 2, 84% (n=16) of the vessels had the equipment needed for removing gear from turtles in the water (at least 3 of 4 items aboard), as well as 94% had most of the equipment for removing gear if the turtle is boated (6 or more items aboard). Interestingly, 42% of the selected vessels (n=8) also had the turtle tether aboard, which is voluntary at this time. A PDF document of the observer turtle gear forms will be posted on a secure site of the POP website. Finally, the cumulative number of unique vessels observed since the effective date of the sea turtle conservation regulations (July, 2004), now stands at 78 vessels covered (Table 4).

Attachments:
Tables 1,2,3, and 4.

cc: The POP office files; Gregg Houghaboom, NOAA-Fisheries SERO/OLE liaison.

Table 1: Regular coverage (8%) of the longline fleet. Number of vessels observed, areas of fishing activity, total sets observed, and total days at-sea conducted by the SEFSC Miami Laboratory **POP** from April 1 to June 30, 2006.

Vessel Number	Vessel Name	Trip No.	Area	Total Sets	Total Sea Days
597797	BLUEFIN ¹	S02076	SAB	1	5
600322	BABALOU	D04030	MAB	3	4
904300	KIM NHI	C02043	GOM	12	18
597797	BLUEFIN ¹	S02077	SAB	5	8
5083937	GRAND CRU	A02024	FEC	6	9
597797	BLUEFIN ¹	S02078	SAB	3	5
911014	PEACEFUL LADY	P01118	GOM	8	12
1029594	QUEEN MARY	W01057	GOM	10	14
593587	MISS MELLISSA ¹	T02021	SAB	5	10
611304	SEVEN ARROWS	J02049	SAB	2	4
937416	KIM THAHN PN	D04031	GOM	10	13
944376	YELLOWFIN	S02079	SAB	11	16
608316	CAPT LUU	C02044	GOM	9	12
902659	NIGHTSTAR II	P01119	GOM	10	13
593587	MISS MELLISSA ¹	T02022	SAB	9	12
633432	KELLY ANN	A02025	FEC	6	9
938537	LEROY TENNISHOE	J02050	GOM	12	16
586413	HATUNA MATADA	A03001	GOM	10	13
936041	CECILLIA II	C02045	GOM	2	7
942269	DE QUEEN	A02026	GOM	9	12
1022773	EAGLE EYE II ²	D04032	NEC	13	22
918932	MORNING STARS	S02080	GOM	7	9
597421	MONICA ³	T02023	NEC	2	5
TOTAL		23		165	248

19 vessels observed:

- 1) Vessel observed multiple trips due to mechanical and weather interruptions.
- 2) POP allowed vessel substitution by permit holder with multiple vessel ownership.
- 3) Vessel selected for quarter 3 coverage, but due to early departure 3 sets were made in quarter 2, 2006.

Table 2: Percent coverage (by sets), the incidental take of Protected Resource species (turtles, mammals, seabirds), and hook effort summarized by geographical area for April 1 to June 30, 2006 (A=Alive, D=Dead, LB=Leatherback, LH=Loggerhead, U=unknown)

AREA	TOTAL SETS OBSERVED	REQUIRED 8% COVERAGE	TURTLES			MAMMALS		BIRDS	
			A LB/LH/U		D	A	D	A	D
CAR-1	0 (0%)	0	0/ 0/0		0	0	0	0	0
GOM-2	99 (7+%)	113	5/ 2/0		0	1	0	0	0
FEC-3	12 (8+%)	11	1/ 1/0		0	0	0	0	0
SAB-4	36 (8+%)	35	0/ 0/0		0	0	0	0	0
MAB-5	3 (1%)	14	0/ 0/0		0	0	0	0	0
NEC-6*	15 (8+%)	0	4/ 2/0		0	0	0	0	0
NED-7	0 (0%)	0	0/ 0/0		0	0	0	0	0
SAR-8	0 (0%)	0	0/ 0/0		0	0	0	0	0
NCA-9	0 (0%)	0	0/ 0/0		0	0	0	0	0
TUN-10	0 (0%)	0	0/ 0/0		0	0	0	0	0
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TOTAL	165 (7+%)	173	10/ 5/0		0	1	0	0	0

Hook effort Summary:

<u>Area</u>	<u>Hook effort</u>
CAR	0
GOM	75,456
FEC	4,523
SAB	22,045
MAB	1,735
NEC*	12,773
NED	0
SAR	0
TUN	<u>0</u>
TOTAL	116,532

*Note: A third quarter selected vessel departed port near the end of quarter 2 and made three sets in the NEC area prior to July 1. The haulback of the third set took place on July 1 in which two sea turtles were taken. The set effort and turtle takes will not be included in this quarter 2 report.

Table 3: Listing of vessels that were not covered by Pelagic Observer Program (POP) during quarter 2, 2006 (April 1 to June 30). Short explanations provided. Vessel non-compliance of observer coverage may be based on more than one category of explanation. The following categories are provided: **(1)**No bunk available;**(2)**Observer presence exceeds the liferaft capacity;**(3)** Lack of current CFVSE decal; **(4)**No communication with observer office/staff; **(5)**Not fishing (involved in another fishery);**(6)**Not fishing (new owner, repair, sunk, no permits); and **(7)**other safety concerns.

<u>Vessel Name</u>	<u>Doc #</u>	<u>Remarks</u>
CAPT H	926348	Reason 4 and 6 Certified letter received. Owner did not communicate with the POP office during quarter of selection. Other sources indicated vessel is still damaged from 2005 hurricanes and no longer fishing. POP requested 7 sets for the quarter. Logbook submissions: Owner submitted a "No fishing report" for April, May, and June.
CAROL ANN	609121	Reason 6 Certified letter received. Owner notified POP office that vessel was in the shipyard for major rebuild for the all quarter 2. Owner and captain rescheduled coverage for July and an observer was deployed by the POP. POP requested 5 sets for the quarter. Logbook submission: Logs for "No fishing report" submitted for April only.
CHARLESTON STAR	591301	Reason 1, 2 and 5. Certified letter received. Owner called the POP office to indicate that his fishing grounds (Charleston Hump) were closed for April and then it would Mahi fish with 4 crew through the rest of quarter 2. POP requested 3 sets for the quarter. Logbook submissions: Owner submitted Log books for May and June.

Table 3 (continued): Listing of vessels that were not covered by Pelagic Observer Program (POP) during quarter 2, 2006 (April 1 to June 30). Short explanations provided. Vessel non-compliance of observer coverage may be based on more than one category of explanation. The following categories are provided: **(1)**No bunk available;**(2)**Observer presence exceeds the liferaft capacity;**(3)** Lack of current CFVSE decal; **(4)**No communication with observer office/staff; **(5)**Not fishing (involved in another fishery);**(6)**Not fishing (new owner, repair, sunk, no permits); and **(7)**other safety concerns.

<u>Vessel Name</u>	<u>Doc #</u>	<u>Remarks</u>
DELPHINUS	671174	Reason 4 Certified received by owner. The POP office received no written or verbal communication from the owner during the quarter. Pop requested 4 sets during the quarter. Logbook submission: Owner submitted logbook forms for April, May and June.
EAGLE EYE	669987	Reason N/A. Certified letter received by owner. Owner communicated with the POP staff during the quarter. Owner has multiple vessels and the POP office allowed substituted for this vessel to comply with coverage. At times of departure, the POP did not have observer to send for deployment. Pop requested 12 sets during the quarter. Logbook submission: Logbooks submitted for May and June.
JOSHUA NICOLE	912738	Reason 1, 3, and 6. Certified letter returned to POP office. Previous owner verbally informed POP office that vessel was sold. New owners received certified letter late in quarter 2. Vessel inspected for safety decal late in quarter. POP trying to reschedule coverage in quarter 3. POP requested 3 sets during the quarter. Logbook submission: Owner submitted forms for May and June.

Table 3 (continued): Listing of vessels that were not covered by Pelagic Observer Program (POP) during quarter 2, 2006 (April 1 to June 30). Short explanations provided. Vessel non-compliance of observer coverage may be based on more than one category of explanation. The following categories are provided: **(1)**No bunk available; **(2)**Observer presence exceeds the liferaft capacity; **(3)**Lack of current CFVSE decal; **(4)**No communication with observer office/staff; **(5)**Not fishing (involved in another fishery); **(6)**Not fishing (new owner, repair, sunk, no permits); and **(7)** other safety concerns.

<u>Vessel Name</u>	<u>Doc #</u>	<u>Remarks</u>
LILLIAN	685129	Reason 6. Certified selection letter returned to POP office. Letter is not deliverable in New Orleans. Owner was never notified of selection. Sources indicate that the vessel sank and has not been salvaged. POP requested 7 sets for quarter. Logbook submission: Owner submitted a "No fishing report" for April, May, and June.
PROVIDER II	648979	Reason 5. Certified letter received by owner. Owner called the POP office to indicate vessel was involved in Scallop fishery until further notice. POP requested 5 sets for quarter. Logbook submission: Owner submitted a "No fishing report" for April and May.
PROVIDER	602041	Reasons 3. Selection letter delivered by certified mail. Owner indicated vessel was under repairs for most of quarter. Owner is always cooperative with POP coverage. Safety decal issued late in quarter and owner reschedule coverage July 1 of quarter 3. The POP successfully deployed observer in July. POP requested 4 set for quarter.

Table 3 (continued): Listing of vessels that were not covered by Pelagic Observer Program (POP) during quarter 2, 2006 (April 1 to June 31). Short explanations provided. Vessel non-compliance of observer coverage may be based on more than one category of explanation. The following categories are provided: **(1)**No bunk available; **(2)**Observer presence exceeds the liferaft capacity; **(3)**Lack of current CFVSE decal; **(4)**No communication with observer office/staff; **(5)**Not fishing (involved in another fishery); **(6)**Not fishing (new owner, repair, sunk, no permits); and **(7)**other safety concerns.

<u>Vessel Name</u>	<u>Doc #</u>	<u>Remarks</u>
REDFIN	925122	Reason 6. Certified letter received by owner. Vessel owner reported vessel was salvaged from 2005 hurricane damage. Repairs completed but provided too short notification. Vessel rescheduled and coverage in early July. Pop requested 8 sets for quarter. Logbook submission: Owner submitted logbook forms for May and June
SAO MAI II	958107	Reason 4. Certified letter received by owner. No communications with the POP office during the quarter. Other sources indicates that 958107 has been sold and permits have been transferred to another vessel (590729) which was previously a shrimp vessel. Pop requested 8 sets for quarter. Logbook submission: Owner submitted logbook forms for May and June.
ST MARIA	1021751	Reasons 4. Certified letter received by owner. Owner did not communicate with the POP off during the quarter. Other sources indicate the vessel is no longer fishing and up for sale. POP requested 9 sets for quarter. Logbook submissions: Owner submitted a "No fishing report" for April and May.

Table 3 (continued): Listing of vessels that were not covered by Pelagic Observer Program (POP) during quarter 2, 2006 (April 1 to June 30). Short explanations provided. Vessel non-compliance of observer coverage may be based on more than one category of explanation. The following categories are provided: **(1)**No bunk available; **(2)**Observer presence exceeds the liferaft capacity; **(3)**Lack of current CFVSE decal; **(4)**No communication with observer office/staff; **(5)**Not fishing (involved in another fishery); **(6)**Not fishing (new owner, repair, sunk, no permits); and **(7)** other safety concerns.

<u>Vessel Name</u>	<u>Doc #</u>	<u>Remarks</u>
SEA HAWK	682221	Reason 5. Certified letter received by owner. Owner communicated with the POP staff during the quarter that captain was not available. Owner has multiple vessels and the POP office allowed substituted for this vessel to comply with coverage. Pop requested 6 sets during the quarter. Logbook submission: Owner submitted logbook forms for April, May, and June.
TAR BABY	989329	Reasons 5 and 7. Certified letter received by owner. Owner called to indicate he was gillnet fishing during the quarter. Vessel was inspected by POP staff and found to be extremely limiting to observer coverage. May try to place an observer in another quarter. POP requested 2 set for quarter. Logbook submission: Owner submitted a "No fishing report" for April and May.

Table 3 (continued): Listing of vessels that were not covered by Pelagic Observer Program (POP) during quarter 2, 2006 (April 1 to June 30). Short explanations provided. Vessel non-compliance of observer coverage may be based on more than one category of explanation. The following categories are provided: **(1)**No bunk available; **(2)**Observer presence exceeds the liferaft capacity; **(3)**Lack of current CFVSE decal; **(4)**No communication with observer office/staff; **(5)**Not fishing (involved in another fishery); **(6)**Not fishing (new owner, repair, sunk, no permits); and **(7)** other safety concerns.

<u>Vessel Name</u>	<u>Doc #</u>	<u>Remarks</u>
WATERSPORT	618782	Reason 5. Certified letter received. Owner communicated with the POP office to indicate the vessel is involved in the shark bottom longline fishery. Owner is very cooperative with POP program in observer coverage. POP requested 1 set for quarter. Logbook submission: Owner submitted logbook forms for April and May.

Table 4: The POP coverage completed aboard the pelagic longline fleet by quarter and year since the publication of the 2004 Biological Opinion. The number of trips observed include vessels that are covered multiple times during a quarter. The number of unique vessels observed represents those vessels only covered once by an observer during a quarter and year.

Quarter	Year	No. of Vessels Selected	No. of Trips Observed	No. of Unique Vessels Observed
3	2004	44	29	29
4	2004	30	28	14
1	2005	34	26	12
2	2005	45	22	9
3	2005	41	19	7
4	2005	28	14	1
1	2006	31	20	4
2	2006	33	23	2
Cumulative Totals			181	78
